

## **REMARKS**

### **I. Introduction**

Claims 11, 13-21 and 23-37 are pending in the present application. Reconsideration of the present application is respectfully requested.

### **II. Rejection Of Claims 11, 13-19, 21 and 23-37 Under 35 U.S.C. § 102**

Claims 11, 13-19, 21 and 23-37 were rejected under 35 U.S.C. § 102(e) as anticipated by U. S. Patent No. 6,301,513 to Divon et al. ("Divon et al."). Applicants respectfully submit that Divon et al. does not anticipate claims 11, 13-19, 21 and 23-37 for at least the following reasons.

Claims 21 and 28, as presented, recite a record/read unit and a voice digitization module as part of an automobile radio device, a chip card removably received by the record/read unit, and an arrangement to buffer the digitized message until the chip card is received by the record/read unit if the chip card is not concurrently received in the record/read unit. Similarly, claims 11 and 31, as presented, recite digitizing a message via a voice digitization module of an automobile radio device, buffering the digitized message until the chip card is received by the record/read unit if the chip card is not concurrently received by the record/read unit, and storing the digitized message in the memory module of the chip card removably received by the record/read unit.

As explained on page 3, line 33 to page 4, line 1, of the Specification, if the chip card is not concurrently present in the device when a voice input occurs, the digitized information is buffered by appropriate software and written onto the chip card later. In Divon et. al by contrast, each storage cassette is arranged with an individualized digital vocalizer so that digitization of the information recorded by the audio system can only occur if the storage cassette is inserted, and, as a consequence, no buffering of digitized information can occur if the storage cassette is not inserted. Accordingly, the audio system of Divon et al. does not disclose, or even suggest, buffering the digitized message until the chip card is received by the record/read unit if the chip card is not concurrently received by the record/read unit, as recited in claims 11, 21, 28 and 31.

For at least the above-mentioned reasons, Divon et al. do not anticipate or render obvious claims 11, 21, 28, or 31. As for claims 13-19, which depend from claim 11 and therefore include all of the features of claim 11, claims 23-27 and 34, which depend from claim 21 and therefore include all of the features of claim 21, claims 29-30, which depend

from claim 30 and therefore include all of the features of claim 30, and claims 32-33, which depend from claim 31 and therefore include all of the features of claim 31, it is respectfully submitted that these claims are not anticipated or rendered obvious by Divon et al. for at least the reasons given above in support of the patentability of claims 11, 21, 28, and 31.

In view of at least the foregoing, it is respectfully requested that the rejection of claims 11, 13-19, 21 and 23-34 under 35 U.S.C. § 102(b) over Divon et al. be withdrawn.

### **III. Rejection Of Claim 20 Under 35 U.S.C. § 103**

Claim 20 was rejected under 35 U.S.C. § 103(a) as unpatentable over Divon et al. Applicants respectfully submit that claim 20 is patentable over Divon et al. for at least the following reasons.

Claim 20 depends from claim 11, which as explained above includes features not disclosed, or even suggested, by Divon et al. Therefore, Divon et al. does not render obvious claim 20 for at least the same reasons as claim 11. Accordingly, it is respectfully requested that this rejection of claim 20 under 35 U.S.C. § 103(a) be withdrawn.

### **IV. Conclusion**

In light of the foregoing, it is respectfully submitted that all pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

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